

FORM-PTO-1390
(Rev. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

012027-022

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

09/868,502

INTERNATIONAL APPLICATION NO.
PCT/DE99/04052INTERNATIONAL FILING DATE
DECEMBER 17, 1999PRIORITY DATE CLAIMED
DECEMBER 17, 1998

TITLE OF INVENTION

FOAMY VIRUS VECTORS FOR EXPRESSING FOREIGN GENES IN MAMMALS AND THE USE THEREOF

APPLICANT(S) FOR DO/EO/US

Rolf M. FLÜGEL et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Six (6) references with IDS.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/868,502		INTERNATIONAL APPLICATION NO. PCT/DE99/04052		ATTORNEY'S DOCKET NUMBER 012627-022	
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	
Basic National Fee (37 CFR 1.492(a)(1)-(5)):				PTO USE ONLY	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,040.00 (960)					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 (970)					
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 (958)					
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 (956)					
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (962)					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 (154) for furnishing the oath or declaration later than 20 <input type="checkbox"/> 30 <input type="checkbox"/> months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20 =		X\$18.00 (966)	\$	
Independent Claims	-3 =		X\$84.00 (964)	\$	
Multiple dependent claim(s) (if applicable)			+ \$280.00 (968)	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction for 1/2 for filing by small entity, if applicable (see below).				+	\$
SUBTOTAL =				\$	
Processing fee of \$130.00 (156) for furnishing the English translation later than 20 <input type="checkbox"/> 30 <input type="checkbox"/> months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (581) per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$	40.00
				Amount to be refunded:	\$
				charged:	\$
a. <input type="checkbox"/> Small entity status is hereby claimed.					
b. <input checked="" type="checkbox"/> A check in the amount of \$ 40.00 to cover the above fees is enclosed.					
c. <input type="checkbox"/> Please charge my Deposit Account No. 02-4800 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
TERESA STANEK REA BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620					
				SIGNATURE	
				TERESA STANEK REA	
				NAME	
30,427				NOVEMBER 6, 2001	
REGISTRATION NUMBER				DATE	